

**Questions and Answers
Regarding the Requirements for
“Highly Qualified Teachers” under NCLB**

1. Who is affected by this requirement?

Every teacher who teaches in a public school in a core academic subject is affected.

2. What subjects are considered core academic subjects by NCLB?

The term “core academic subjects” is defined as: English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography.

3. How are the “arts” defined in South Dakota?

Arts in South Dakota are defined as music and visual arts.

4. When does this requirement go into effect?

The requirement is already in effect for newly hired Title I teachers in targeted assistance and schoolwide programs.

Effective at the end of the school year 2005-2006, *all* public teachers in the state who are teaching core subjects must be highly qualified. This requirement includes all Title I teachers.

5. What are the requirements for being highly qualified as a new teacher?

Elementary teachers who are new to the profession must have full state certification, hold at least a bachelor’s degree and must demonstrate, by passing a rigorous state test of subject knowledge and teaching skill in reading, writing, mathematics, and other areas of the basic elementary school curriculum.

Middle school and secondary teachers who are new to the profession must have full state certification, hold at least a bachelor’s degree, and must demonstrate a high level of competency in each of the academic subjects in which they teach. This may be accomplished by passing a rigorous state subject matter test or teachers may complete an undergraduate major in a content area, or earn a graduate degree.

6. What are the requirements for being highly qualified for current teachers?

Current elementary teachers must have full state certification, hold a bachelor’s degree, and demonstrate competency through passing the state test or meeting the high objective State standard of evaluation, often referred to as H.O.U.S.E. (HOUSE).

The HOUSE rules for elementary teachers are:

- Being fully authorized by the State of South Dakota for all teaching assignments in all core content areas AND have 3 prior years of teaching experience OR
- Passes subject specific state test in content and pedagogy (available September 2004) OR
- Hold a graduate degree OR
- Have a Reading specialist endorsement OR
- Hold National Board Certification in a specific discipline or in a broad category.

Current middle and secondary teachers who are not new to the profession must have full state certification, hold a bachelor’s degree, and demonstrate competency by passing a state test, or hold a major, or a graduate degree or have National Board Certification in the content area. Current middle and high school teachers may also demonstrate competency through the HOUSE rules for middle and high school teachers.

The HOUSE rules for middle and high school teachers are:

- Being fully authorized by the State of South Dakota for all teaching assignments in all core content areas AND having 3 prior years of teaching experience OR
- Passes subject specific state test in content and pedagogy (available September 2004) OR
- Hold a graduate degree OR
- Have a Reading specialist endorsement OR
- Hold National Board Certification in a specific discipline or in a broad category.

7. What is the source of these requirements?

No Child Left Behind Act of 2001 (NCLB) Title I, Part A, section 1119 requires all public teachers in the state who teach core academic subjects to be highly qualified by the end of the 2005-2006 school year. The HOUSE rules were developed at the state level with a committee of partners from SDEA and the Department of Education. The rules were reviewed by the Committee of Practitioners. The rules were presented to the Board of Education for consideration and approval.

8. Doesn't this requirement affect only Title I programs?

No. The law requires that states receiving Title I Part A funds must ensure that all public school teachers who teach core academic content subjects be highly qualified.

9. In a targeted assistance Title I program, which teachers would need to meet these requirements?

For targeted assistance schools, *newly hired* teachers directly paid with Title I funds are required to meet the requirements prior to being hired.

10. In a schoolwide Title I program, which teachers would need to be "highly qualified"?

In a schoolwide program, all teachers and programs are supported by Title I funds. Therefore, all newly hired teachers teaching in core academic subjects must be highly qualified prior to being hired.

11. Will every teacher have to take a test to be "highly qualified"?

No. For some teachers, a state exam will be necessary to meet the requirements. Elementary teachers who are identified as "new to the profession" must take the exam.

Middle and secondary teachers who are new to the profession have the option of either taking the state tests in each academic subject taught or provide evidence of holding majors in the subject, or a graduate degree.

For teachers who are not new to the profession, taking the state exam is one option to achieving the status of being "highly qualified". Consult the chart to determine what options are available.

12. Some pre-service teachers take an entrance test to get into their teacher preparation program at college; will those entrance tests be accepted for meeting the requirements of highly-qualified?

No. Tests given by colleges to assess student preparation for teacher training programs will not be accepted as a measurement for being highly qualified. The state test will be aligned to specific subject areas with teachers at varying grade levels (elementary, middle, and secondary) taking tests designed specifically for their content area.

13. If teachers are highly qualified for positions they currently hold, are they still considered highly qualified if they transfer to another teaching position within the district?

The status of being highly qualified is not transferable from position to position. If teachers are reassigned to new positions, they must verify they meet the requirements of being highly qualified for the new positions.

14. If teachers from another state seek teaching positions in South Dakota, how will they know if they are highly qualified in South Dakota?

An experienced teacher from another state will need to meet the same requirements for being highly qualified as South Dakota teachers. All out of state applicants must provide documentation of completion of an approved state licensure exam within the content area in which they will be certified effective September 1, 2004. A teacher new to the profession must take the state test in order to be highly qualified.

15. If teachers do not meet the requirements of being “highly qualified”, what can they do?

There are options for teachers who do not meet the requirements of being highly qualified. Teachers who do not possess the minimum of a bachelor degree will not be able to meet the requirements of “highly qualified”. Teachers working under the certification status of “instructor” or “non-authorized” will not be considered as “highly qualified”.

A teacher may pursue certification and work under an “authority to act” until the end of the 2005-2006 school year. Starting with the school year 2006-2007, an “authority to act” will not be allowed. Only highly qualified teachers may be hired for core content subjects in public schools.

The process is as follows:

1. Fill out initial application. The application can be downloaded at www.state.sd.us/deca/opa
2. Send the application to the applicant’s University for verification of a teaching degree.
3. Return the completed application to the Department of Education, Office of Policy and Accountability for transcript analysis for authorizations outside the major(s).

Other options for becoming “Highly Qualified”:

- 1) The teacher may choose to pursue the appropriate additional college coursework to meet the requirements of being “highly qualified”.
- 2) The teacher may take the state test specific to the area in which they are teaching. If they pass the test in both content and pedagogy, they will be considered “highly qualified”. (available September 2004).
- 3) The teacher may choose to pursue National Board Certification (must have 3 years of teaching experience).
- 4) Successfully complete an advanced degree or reading specialist endorsement.

SPECIAL EDUCATION

16. How does the requirement to be “highly qualified” impact special education teachers?

The requirements apply to elementary, middle and secondary special education teachers when providing instruction in “core academic subjects”

Elementary special educators must meet the same requirements of being highly qualified as all elementary teachers by 2005-2006.

For middle school and secondary special educators, the requirement will apply to any special educator who teaches a “core academic subject”.

For special educators in general, the field being taught is special education. Special education teachers provide support, in consultation with teachers of “core academic subjects”. Thus, the teacher of record who awards the credit must hold the appropriate endorsement and be highly qualified.

17. Does this mean special education teachers cannot teach classes that address coursework such as “Math in the Work World” or other functional classes that are based on the content standards?

Teachers of any of the core academic subjects must hold the appropriate endorsements and be highly qualified. A special educator who teaches any of the core academic subjects, is the sole instructor of record, and awards a grade must be highly qualified.

Special educators, working in collaboration and consultation with general education teachers who are highly qualified in the appropriate core areas, will be able to provide special education to students taking these courses. Thus, a special educator may address the special education needs of a student taking a course in a core academic area, but must be either highly qualified to be the teacher of record and award grades *or* be in collaboration with a highly qualified teacher for that core area.

PUBLIC REPORTING

18. What information must the State of South Dakota report regarding highly qualified teachers?

The State of South Dakota must collect and report on the percentage of highly qualified staff statewide, including the number of teachers teaching under “authority to act” or teaching “out of field.” The state must also report the percentage of classes or teaching assignments that are not taught by highly qualified teachers. The information will indicate the percentage of teaching assignments taught by teachers not highly qualified for high-poverty compared to low-poverty schools. The state must also determine and report the percentage of teachers receiving high quality professional development each year as defined in Title IX of NCLB.

The data used to determine the percent of highly qualified teachers is submitted annually by each public school district to the State Department of Education. Each fall all public school districts are required to submit data regarding their teachers and administrators and their current assignments using a program called the “personnel record form”(PRF).

19. What must schools do to notify parents about the qualifications of the educational staff working with their child?

At the beginning of the school year, every district that receives Title I funds must inform the parents that they may request information regarding the professional qualifications of their children’s classroom teachers. The district must provide a response to the parents’ request in a timely manner.

Parents must be provided timely notice that their children have been assigned or have been taught for four or more consecutive weeks by teachers who are not highly qualified.

20. If a parent requests this information, what does the district have to provide?

The information must include, at a minimum, the following:

- (i) Whether the teacher has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
- (ii) Whether the teacher is teaching under “authority to act” status
- (iii) The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree.
- (iv) Whether the child is provided services by paraprofessionals and, if so, their qualifications.

21. Is there a specific format for the district parental notice?

No, there is not a specific format. The notice and information provided to parents must be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand. A sample letter to parents is available at:

<http://www.state.sd.us/deca/TA/basic/index.htm> under Section 119.

22. When do the reports on a school's highly qualified teachers need to be completed?

The state and each district must report the percentage of highly qualified staff and those receiving high quality professional development by the start of school each year. The notice to parents informing them of the qualifications of teachers teaching their children must be provided in the fall of each school year.

FUNDING**23. What sources of funding are there for districts to use to help teachers meet the requirements for highly qualified?**

There is a requirement for all Title I districts to set aside 5% of their Title I allocation to help staff meet the requirements for high quality. These funds are to be used to help teachers meet the requirements of being highly qualified and for paraprofessionals to meet the qualifications of Section III9. These funds can only be used in Title I schools. The priority use for these funds goes:

- 1st - to Title I teachers,
- 2nd - to Title I paraprofessionals, and
- 3rd - to teachers of core academic content areas.

In a school operating a schoolwide program, all core content area teachers and paraprofessionals that provide instructional services are considered Title I staff.

The term "working in a program supported by Title I funds" will be used to refer to teachers and paraprofessionals in both targeted assistance and schoolwide programs.

Individual Titles II, A & D., and V funds as well as funds under Title VI can also be used to help teachers of core academic subjects meet the requirements of being highly qualified.

24. What activities may the Title funds be used to support?

Title II, Part A, Teacher and Principal Training and Recruiting, provides funding for professional development for public and private school teachers, principals and paraprofessionals; teacher salaries and benefits under class-size reduction; and recruitment and retention of highly qualified teachers, principals and paraprofessionals

Title II, Part A, funds can be used for:

- a. professional development activities for teachers, principals, and paraprofessionals that are high quality, sustained, intensive, and classroom focused in order to have a positive and lasting impact on classroom instruction and the teacher's performance in the classroom;
- b. programs to recruit, train, and hire highly qualified teachers to reduce class size, especially in early grades;
- c. technology activities related to professional development to assist teachers and other school personnel regarding how to use technology effectively in the classrooms;
- d. programs to improve the academic achievement of educationally disadvantaged elementary and secondary school students, including activities to prevent students from dropping out of school;
- e. programs to provide for the educational needs of gifted and talented children;
- f. school improvement programs;
- g. initiatives to generate, maintain, and strengthen parent and community involvement; and
- h. programs that employ research-based cognitive and perceptual development

approaches and rely on a diagnostic-prescriptive model to improve students' learning of academic content at the preschool, elementary and secondary levels.

Title V, Part A Innovative Programs funds may be used for professional development activities carried out in accordance with Title II, that give teachers, principals, and administrators the knowledge and skills to provide students with the opportunity to meet challenging State or local academic content standards and student academic achievement standards.

The Alternative Uses of Funds flexibility provision of the Rural Education Achievement Program (REAP) includes local program activities under the Title II, Part A and Title V, Part A programs.

COMPLIANCE

25. What is the State of South Dakota doing to prepare schools and teachers for these requirements?

In addition to providing this technical assistance document, the state has made the information available on the department's website: <http://www.state.sd.us/deca/NCLB/index.htm>

The Department of Education will continue to provide information and training as needed with regards to these requirements. The Department will be developing tools and models for the collection and reporting of data as it pertains to the requirements of being highly qualified.

26. How will compliance with these requirements be monitored?

In order to verify compliance with the section 1119 teacher quality requirements, DOE will require that the principal of each Title I targeted assistance or schoolwide school attest annually in writing that the school is in compliance with the requirements of section 1119. The signed document will be maintained at each Title I school site and at the main office of the district. This document must also be available to any member of the public upon request. The document must include supporting documentation that teachers and paraprofessionals have met the high quality standards established in NCLB.

The district will submit an annual consolidated application that includes information about the status of the district's educational staff in meeting all requirements and certification regulations.

DOE reviews all federal programs on a rotating basis, visiting districts once during each four-year cycle. Current state accountability requirements will be reviewed to comply with NCLB.

TECHNICAL ASSISTANCE

27. Who should districts contact if they need further information?

- Teacher Certification – Jerald Goehring (773-4774), email at Jerald.Goehring@state.sd.us.
- Title I – Diane Lowery (773-6509), email at Diane.Lowery@state.sd.us
- Title II – Jim Hauck (773-4712), email at James.Hauck@state.sd.us
- Fiscal – Rob Huffman (773-6400) at robyn.huffman@state.sd.us